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## PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

Docket Number (Optional)  
3047-7434 (53047-7434)In re Application of  
Rosen et al.Application Number  
09/973,624Filed  
October 9, 2001For TIGHTLY AGGLOMERATED NON-OXIDE PARTICLES AND METHOD FOR  
PRODUCING THE SAMEGroup Art Unit  
1742Examiner  
Mai, Ngoclan Thi

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows  
(check time period desired):

|  |           |
|--|-----------|
| <input type="checkbox"/> One month (37 CFR 1.17(a)(1))               | \$ _____  |
| <input type="checkbox"/> Two months (37 CFR 1.17(a)(2))              | \$ _____  |
| <input checked="" type="checkbox"/> Three months (37 CFR 1.17(a)(3)) | \$ 950.00 |
| <input type="checkbox"/> Four months (37 CFR 1.17(a)(4))             | \$ _____  |
| <input type="checkbox"/> Five months (37 CFR 1.17(a)(5))             | \$ _____  |

Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$ 475.00.

A check in the amount of the fee is enclosed.

Payment by credit card. Form PTO-2038 is attached.

The Commissioner has already been authorized to charge fees in this application to a Deposit Account.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 20-0823. I have enclosed a duplicate copy of this sheet.

I am the  applicant/inventor

assignee of record of the entire interest. See 37 CFR 3.71.  
Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

attorney or agent of record.

attorney or agent under 37 CFR 1.34(a).  
Registration number if acting under 37 CFR 1.34(a) \_\_\_\_\_.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

September 24, 2004  
Date

Robert L. Villhard  
Signature

09/28/2004 HLE333 00000072 200823 09973624

Robert L. Villhard

01 FC:2253 475.00 DA

Typed or Printed Name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

Total of \_\_\_\_\_ forms are submitted.

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Please type a plus sign (+) inside this box →

Approved for use through 10/31/2002. OMB 0651-0032  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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|  |            |                              |
|--|------------|------------------------------|
| Attorney Docket No.  | 53047-7434 | First Inventor: Rosen et al. |
| <b>AMENDMENT TRANSMITTAL LETTER</b>  |            | Serial No. 09/973,624        |
| <b>Title: Tightly Agglomerated Non-Oxide Particles<br/>And Method For Producing The Same</b> |            | Filing Date October 9, 2001  |
|  |            | Examiner Mai, Ngoclan Thi    |
|  |            | Group Art Unit 1742          |

**TO THE ASSISTANT COMMISSIONER FOR PATENTS:**

Transmitted herewith is an amendment in the above-identified application.

Large Entity Status

Small Entity status of this application has been established under 37 CFR 1.27

The fee has been calculated and is transmitted as shown below.

|   |                                  | CLAIMS AS AMENDED – PART II        |               |            | SMALL ENTITY |                  | OTHER THAN SMALL ENTITY |                  |
|---|----------------------------------|------------------------------------|---------------|------------|--------------|------------------|-------------------------|------------------|
|   |                                  | (Column 1)                         | (Column 2)    | (Column 3) | RATE         | ADDITIONAL FEE   | RATE                    | ADDITIONAL FEE   |
| AMENDMENT   | CLAIMS REMAINING AFTER AMENDMENT | HIGHEST NUMBER PREVIOUSLY PAID FOR | PRESENT EXTRA |            |              |                  |                         |                  |
|   | Total (37 CFR 1.16(c))           | *52                                | Minus         | **79       | =0           | x \$ ____ = 0.00 | x \$ ____ = 0.00        |                  |
|   | Independent (37 CFR 1.16(b))     | *4                                 | Minus         | ***9       | =0           | x \$ ____ = 0.00 | x \$ ____ = 0.00        |                  |
| FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d)) |                                  |                                    |               |            | x \$ ____ =  | + \$ ____ =      | TOTAL ADDIT. FEE        | TOTAL ADDIT. FEE |
|   |                                  |                                    |               |            |              |                  | 0.00                    | 0.00             |

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20".

\*\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3".

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

Petition of Extension of Time. Please charge deposit account in the amount of \$475.00 for this extension.

No additional fee is required for amendment.

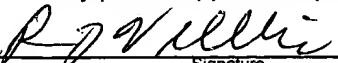
A check in the amount of the fee is enclosed.

The Commissioner has already been authorized to charge fees in this application to a Deposit Account. 20-0823.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 20-0823. I have enclosed a duplicate copy of this sheet.

Any additional filing fees required under 37 C.F.R. 1.16.

Any patent application processing fees under 37 C.F.R. 1.17.



Date: September 24, 2004

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**Certificate of First Class Mailing**

I hereby certify that this document and fee is being deposited with the United States Postal Service as "First Class Mail" under 37 C.F.R. 1.8 on September 24, 2004 and addressed to: Assistant Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

Signature: 

Type Name: Robert L. Villhard